REMARKS

The Applicant resubmits the arguments presented in the previous Response dated August 4, 2004, to which the Examiner did not respond. That is, neither Basemen nor Lewis, nor a proper combination of the two, teaches the claimed invention.

Further, the Applicant suggests that in order to combine Basmen and Lewis such that they would be comparable to the subject invention would require impermissible hindsight. A person of ordinary skill in the art would not consider combining the two references without having first read the Applicant's disclosure. Further, even if a person of ordinary skill in the art were to combine the two references, one would not arrive at the invention as claimed without knowledge of the Applicant's disclosure. The reasons for these conclusions are described below.

Basemen describes a method for generating a strategic business plan to improve operations and closely monitor various performance measures of an enterprise. In particular, Basemen describes extending supply chain management using financial management considerations and financial management using supply chain considerations.

Lewis describes an integrated financial data reporting system for real time data entry, assessment, and report generation. Specifically, Lewis teaches a system for receiving financial information from a plurality of different sources in varying formats and converting the information into a common format.

Accordingly, Applicant submits that a combination of Lewis and Basemen would result in a system that would allow the collation of data from multiple supply chain management systems into a single format and provide financial report generation accordingly. Clearly, this is not what is described nor claimed by the subject application.

In the initial Office Action, the Examiner stated that Basemen describes "providing a software system for monitoring a cash position of the business, said software system including one or more predetermined limits defined by the financial capacity of the business" in the abstract, column 6 lines 33-61 and column 20 lines 39-58.

2

As previously discussed, the abstract describes an inventory management system for assisting with financial management decisions and vice versa. These financial management decisions are exemplified in column 6 lines 33-61. These paragraphs described the different processes related to the decision-making, including supply chain management, extended demand planning, inventory management, procurement planning and production planning. According to these paragraphs, "a strategic business plan is generated to assist decision making and to closely monitor various performance measures of an enterprise."

Further, the paragraphs of column 20 lines 39-58 describe assessing and minimizing foreign exchange risks when dealing with foreign customers. Specifically, they teach a system that dynamically selects customers in order to minimize taxes and increase revenues by taking advantage of various factors including exchange rates.

Clearly, these paragraphs do not teach monitoring a cash position of a business nor introducing predetermined limits defined by the financial capacity of the business.

The Examiner further stated that Basemen describes "permitting said software system to periodically connect to the electronic records to receive updated transaction information to calculate a current cash position" in column 6 lines 33-61 and column 8 line 43 – column 9 line 5. Column 6 has been discussed above. Columns 8 and 9 describe integrating supply chain management and financial management to improve modelling, demand planning and to maximize profits. It also describes that coordinating demand planning and customer fulfilment with a cash management function to decrease the cash requirements, thereby reducing short-term volatility in its cash position.

Clearly, these paragraphs do not describe periodically connecting to electronic records to receive updated transaction information to calculate a current cash position. In fact it is only mentioned in passing that Basemen will positively affect the cash position of the firm by reducing short-term volatility, but it is never mentioned that the actual cash position is calculated.

The Examiner further stated that Basemen describes "calculating a cash position of the business in respect of a proposed transaction by the business" in column 5 line 66 – column 6 line 61, and column 8 line 51 to column 9 line 5. These paragraphs have been discuss above and do not

3

disclose calculating a cash position of the business. Further, the extra paragraphs cited in column 5 described how integrating supply chain management and financial management can increase profitability and revenue while reducing risk.

The Examiner further stated that Basemen describes "calculating a permitted cash position based on said updated transaction information and said one or more limits defined by said financial capacity" in column 6 line 33-61, column 8 line 43 – column 9 line 5 and column 20 lines 15-35. The first two references have been discussed and do not describe the above statement. Further, column 20 lines 15-35 describe a number of methods for performing integration, including using a set of heuristics to limit allocations to customers exceeding their limit, calculating credit risk, using simulations to minimize risk and using programming to maximize profit. There is no mention of calculating a permitted cash position based on said updated transaction information and said one or more limits defined by said financial capacity.

The Examiner further stated that Basemen describes "comparing the calculated cash position of the business after said proposed transaction to said permitted cash position" in column 2 line 65-column 3 line 17. However, this reference describes financial management systems that were state of the art at the time of the Basemen invention. Although cash management is mentioned, there is no discussion about comparing the calculated cash position of the business after a proposed transaction to a permitted cash position.
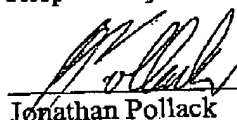
Lastly, the Examiner has stated that although Basemen does not describe "providing an indication of whether the proposed transaction will cause the business to fall outside of any of said limits defined by said financial capacity", it is disclosed by Lewis. Lewis teaches alerting users that as a result of a transaction, market change, or customer change, a financial threshold has been breached (co. 5, lines 56-61).

However, due to the incongruities between the subject invention and Basemen as described above, it would not be possible for a person of ordinary skill in the art to combine the teachings of Bascman and Lewis and arrive at the invention as claimed without the benefit of the Applicant's disclosure.

4

Accordingly, the Applicant requests that the obviousness rejection to independent claims 1 and 21 be withdrawn. Further, since the remaining claims are dependent upon claims 1 and 21, the Applicant submits that the rejections to these claims also be withdrawn.

Favourable consideration of the subject patent application is respectfully requested.

Respectfully submitted,

Jonathan Pollack
Registration No. 49,065
416 862 5405

Gowling Lafleur Henderson LLP
Commerce Court West, Suite 4900
Toronto, Ontario
M5L 1J3
TOR_LAW\5930182\1

5